



Entered on Docket
February 07, 2007

Hon. Linda B. Riegle
United States Bankruptcy Judge

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USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:) BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY) Chapter 11
Debtor)

In re:) BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,) Chapter 11
Debtor)

In re:) BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,) Chapter 11
Debtor)

In re:) BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,) Chapter 11
Debtor.)

In re:) BK-S-06-10729-LBR
USA SECURITIES, LLC,) Chapter 11
Debtor.)

Affects

- ☐ All Debtors)
☐ USA Commercial Mortgage Co.)
☐ USA Securities, LLC)
☐ USA Capital Realty Advisors, LLC)
☐ USA Capital Diversified Trust Deed)
☒ USA Capital First Trust Deed Fund, LLC)

DATE: January 31, 2007
TIME: 9:30 a.m.

**ORDER RE OMNIBUS OBJECTION OF THE OFFICIAL COMMITTEE OF EQUITY
SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC TO
CLAIMS SUPERSEDED BY COMPROMISE CONTAINED IN DEBTORS' THIRD
AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION (AS
MODIFIED)(AFFECTS DEBTORS USA CAPITAL FIRST TRUST DEED, LLC.)**

The Court having considered the Omnibus Objection of the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Claims Superseded by Compromise Contained in Debtors' Third Amended Joint Chapter 11 Plan of Reorganization (as Modified)(the "Objection")(Docket No. 2295); Candace C. Carlyon, Esq. of the law firm of Shea & Carlyon, Ltd. appearing on behalf of the movant (with any other appearances having been noted in open court); the Court having considered the Objection; adequate notice of the Objection having been given; this Court having approved the Stipulation Between Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC and Kantor Claimants Continuing Hearing on Omnibus Objection of the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC To Claims Superseded by Compromise Contained in Debtors' Third Amended Joint Chapter 11 Plan of Reorganization (as Modified) continuing the Objection only as to the claims of Kantor Nephrology Consultants, Ltd. 401(k) PSP [Claim No. 123], Dr. Gary Kantor [Claim No. 124], and Lynn M. Kantor [Claim No. 125](collectively, the "Kantor Claims")(Docket No. 2559); and there having been no response filed to the Objection; and good cause appearing:

IT IS HEREBY ORDERED that, except as to the Kantor Claims, the Objection is

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1 sustained, and the following Claims are disallowed:

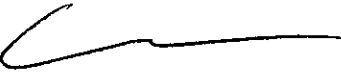
2 Claim No. 115 (Brian M. Adams)

3 Claim No. 118 (Herman M. Adams, Brian M. Adams, Anthony G. Adams)

4 Claim No. 119 (Olympia Capital Management)

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6 SUBMITTED BY:

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1 REVIEWED:

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RULE 9021 DECLARATION

In accordance with Local Rule 9021, the undersigned certifies:

☐ The Court waived the requirements of LR 9021.

☐ I have delivered a copy of proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and each has:

☒ approved the form of this order;

☐ waived signature in open court; and/or

☐ failed to file and serve papers in accordance with LR 9021(c).

☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the order:

☐ No opposition was filed to the motion and no other party or counsel appeared at the hearing.

DATED this 6th day of February, 2007.

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